IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 14509 of 2007(B)

OS.436/2005 of DISTRICT COURT, KASARAGOD
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PETITIONER:

SHUKKOOR CHERKALAM,
S/O.C.H.MOIDEEN KUNJU,
CHERKALA, P.O.CHENGALA,
KASARAGOD DISTRICT.

BY ADV. SRI.S.V.BALAKRISHNA IYER (SR.)
SRI.M.B.PRAJITH

RESPONDENTS:
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1. **SHERIFF.T.A., AGED.42 YEARS,**
S/O.OF ADUL RAHIMAN,
SECRETARY, YARK SHIRE CRICKET CLUB,
M.D.NAGAR, THALANGARA VILLAGE AND POST,
KASARAGOD DISTRICT.

2. **K.JAYAKUMAR, AGED.43 YEARS,**
S/O.SHANKARA, SECRETARY,
BROTHER CLUB, THALIPADAPPU,
ADKATHBAIL VILLAGE, KASARAGOD.

3. **ABDUL RAHIMAN, AGED.32 YEARS,**
S/O.MOHAMMED, SECRETARY,
BACHELOR SPORTS CLUB,
MOGRAL PUTTUR VILLAGE AND POST, KASARAGOD.

4. **RAJESH, AGED.35 YEARS,**
S/O.I.P.KUMARAN, SECRETARY,
MANGALPADY FRIENDS ASSOCIATION,
UPPALADY, MANGALPADY VILLAGE,
P.O.UPPALA, KASARAGOD DISTRICT.

5. ASHRAF, AGED.37 YEARS,
S/O.ABDULLA, PRESIDENT,
LUCKY STAR ARTS AND SPORTS CLUB,
KIZHUR, KALNAD VILLAGE, P.O.CHANDRAGIRI,
KASARAGOD.

6. K.HASSAN, AGED.67 YEARS, S/O.MOHAMMED,
SECRETARY, KANHANGAD CRICKET CLUB,
KANHANGAD VILLAGE, P.O.KOLAVAYAL,
KANHANGAD - 671 531.

7. NIZAR SAHIB, AGED.25 YEARS,
S/O.IRAK SAHEB,
SECRETARY, SAFANA SPORTING CLUB,
GAZZALI NAGAR, THALANGARA VILLAGE AND POST,
KASARAGOD.

8. FIROZ T.M., AGED.36 YEARS,
S/O.MOIDEEN KUTTY,
SECRETARY, PALLIKKAL CRICKET CLUB,
M.D.NAGAR, THALANGARA VILLAGE AND POST,
KASARAGOD.

9. CHANDRA MOULI, AGED.35 YEARS,
S/O.ISHWARA,
SECRETARY, PRIYA DARSHINI ARTS AND SPORTS CLUB,
MADHUR VILLAGE, P.O.HIDAYATH NAGAR,
KASARAGOD.

10. NAVEEN KUMAR, AGED.30 YEARS,
S/O.VITTAL NAYAK,
SECRETARY, BROTHER CLUB, KELUGUDDE ROAD,
ADKATHBAIL VILLAGE, KUNDHU POST,
KASARAGOD.

11. K.P.VENUGOPAL, AGED.50 YEARS,
S/O.K.P.GOPALAN,
SECRETARY, KASARAGOD SPORTS CLUB,
SPORTS PAVILION, THALIPADAPPU,
ADKATHBAIL VILLAGE, KASARAGOD.

12. MOHAMMED HUSSAIN, AGED.25 YEARS,
S/O.ABBAS, YOUTH FRIENDS ARTS AND SPORTS CLUB,
NEAR MOGRAL LEAGUE OFFICE,
MOGRAL VILLAGE AND POST, KASARAGOD DISTRICT.

13. SALEEM.B.A., AGED.25 YEARS,
S/O.ABDUL RAHIMAN,
SECRETARY,BANGARA KUNNU SPORTS CLUB,
BANGARAKUNNU, ADKATHBAIL VILLAGE,
KASARAGOD DISTRICT.

14. KAMALUDDEEN, AGED.27 YEARS,
SECRETARY, MAFJAKARA SPORTING, KADAVATH,
CHEMNAD VILLAGE AND POST,
KASARAGOD DISTRICT.

15. FAHAD, AGED.24 YEARS,
SECRETARY, KAAS, KADAPPURAM,
KASARAGOD KADAPPURAM, ADKATHBAIL VILLAGE,
P.O.KASARAGOD, KASARAGOD DISTRICT.

16. THE KERALA CRICKET ASSOCIATION,
REP.BY ITS SECRETARY,
K.C.A.COMPLEX, SASTHAMKOVIL ROAD,
THYCADU, THIRUVANANTHAPURAM.

BY ADV. SRI.A.V.THOMAS
SRI.SHAJI P.CHALY
SRI.JOJO GEORGE
SRI.NIDHI SAM JOHN.
SRI.SHIRAZ ABDULLA
SRI.SURAJ.S

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.14509/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE BYE LAWS OF THE KASARAGOD DISTRICT CRICKET ASSOCIATION.

EXT.P2:- COPY OF THE ORDER DT. 22.7.05 IN WP(C) NO.20845/05.

EXT.P3:- COPY OF THE VOTERS LIST OF THE AFFILIATED MEMBER CLUBS .

EXT.P4:- COPY OF THE PLAINT OF O.S. 436/05.

EXT.P5:- COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER AND THE DEFENDANTS 1,3,4,7,9,11,13 TO 15, 19 AND 20.

EXT.P6:- COPY OF THE WRITTEN STATEMENT FILED BY THE DEFENDANTS 2 , 5 AND 8.

EXT.P7:- COPY OF THE WRITTEN STATEMENT FILED BY THE 10TH DEFENDANTS.

EXT.P8:- COPY OF THE ORDER DT. 29.3.07 OF THE MUNSIFF COURT, KASARAGOD.

EXT.P9:- COPY OF THE APPEAL BEFORE THE DISTRICT COURT , KASARAGOD.

EXT.P10:- COPY OF THE IA. NO.109/07 BEFORE THE DISTRICT COURT, KASARAGOD.

/TRUE COPY/

P.S. TO JUDGE

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M.N.KRISHNAN, J

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W.P.(C) No.14509 OF 2007

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Dated this the 9th day of August 2007

JUDGMENT

This writ petition is filed for a direction to the District Court, Kasargod to dispose of Exts.P9 and P10 within a time frame and in the meanwhile to permit the office bearers of the Kasargod District Cricket Association to continue in office till the disposal of Ext.P9.

2. When the matter came up for admission, this court granted the interim relief as prayed for, for a period of one month and had been extending the same till this date. It took time to complete service of notice. I am informed that all the parties have entered appearance. The appeal is pending consideration before the District Court, Kasargod. Any consideration of an interim application will take so much time as if it is for the consideration of the appeal and therefore in the interest of all the parties it is only desirable that the appeal be disposed of at the earliest, but there must be some arrangement till the disposal of the appeal. I feel that the interim order granted by this court which has been governing the issue till this date, will continue till the disposal of the appeal. The District Court,

Kasargod is directed to dispose of Ext.P9 appeal within six weeks from today and I fix the outer limit of 2 months, if there is any service that remains to be done in the case. One of the parties can take a copy of this judgment and furnish it before the District Court, Kasargod for necessary compliance.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-